

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES EDWARDS,

Plaintiff,

v.

**COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

Civ. No. 2:13-cv-01324-MC

OPINION AND ORDER

MCSHANE, Judge:

On August 1, 2013, plaintiff filed his complaint, ECF No. 2, for judicial review of a final decision of the Commissioner of Social Security denying disability insurance benefits. On November 20, 2013, this Court ordered plaintiff to “complete and return completed Summons and Marshal forms to Clerk . . . by December 13, 2013.” Order, Nov. 20, 2013, ECF No. 7. Because of plaintiff’s non-compliance, this Court, on February 25, 2014, ordered plaintiff to “complete and return summons and marshal forms by March 14, 2014” or face dismissal for failure to prosecute. Order to Show Cause 1, Feb. 25, 2014, ECF No. 9. To date, plaintiff has not completed and returned summons or marshal forms. Moreover, this Court’s subsequent order was returned as “not deliverable as addressed” despite plaintiff’s “continuing responsibility to notify” this Court of changes in his mailing address. *See* Local Rule 83-10.¹ Accordingly,

¹ Local Rule 83-10, in relevant part, states that “every unrepresented party[] has a continuing responsibility to notify the Clerk’s Office whenever his or her mailing address, telephone number, and/or business e-mail address changes.” United States District Court: District of Oregon, LR 83 – Rules and Directives – By the District Court (2014), available at <http://www.ord.uscourts.gov/index.php/local-rules-of-civil-procedure-2014-all-with-amendments/508-2014-lr-83/>.

because plaintiff (1) failed to comply with this Court's orders, ECF No. 7 & 9, and (2) failed to comply with Local Rule 83-10, this action is dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

DATED this 7th day of April, 2014.

-----s/ Michael J. McShane-----
Michael J. McShane
United States District Judge